



Sixth Committee Agenda item 78
Resumption of the seventy-seventh session

Crimes against Humanity
Cluster 1: Introductory provisions (Preamble and Article 1)

Statement by the Federal Republic of Germany
10 April 2023

Germany fully aligns itself with the statement delivered by the European Union. In particular, we share the deep recognition for the legacy of Ben Ferencz.

As a firm supporter of international criminal law, Germany attaches great importance to the project of a Convention on Crimes against Humanity based on the International Law Commission's Draft Articles.

Crimes against Humanity are among the most serious crimes known to humankind. We are witnessing these atrocities too often, if not daily. Since the concept of Crimes against Humanity is well accepted, there remains an obvious gap outside the ICC framework.

There is currently no global convention governing the prevention and punishment of Crimes against Humanity, unlike with respect to genocide (the 1948 Genocide Convention) and war crimes (the 1949 Geneva Conventions). A new convention would complement treaty law on the most serious crimes and foster interstate cooperation with regard to their prevention, investigation, prosecution and punishment.

We need to close this gap in order to strengthen accountability and bring such crimes to justice universally, in particular by promoting prevention and punishment at the national levels as stipulated in the Title and Article 1 of the draft articles.

Germany welcomed the recommendations agreed within the International Law Commission, which enjoy wide support throughout the international community. Since concerns and suggestions by various partners have been thoroughly evaluated and discussed, we feel that it is time to move forward and to proceed with elaborating a convention on this solid basis.

We trust that this Resumed Session leads to a structured process of treaty negotiations based on the articles of the Convention and that the exchange of views throughout this week allows all participants to join a decision towards this end.

To contribute to this effort, France and Germany organised a Workshop on the project of a Convention, which t